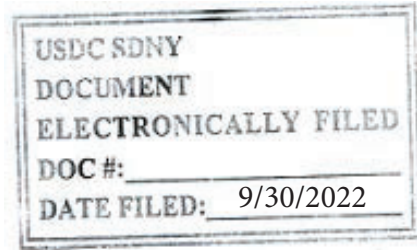


UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK



BOBBY GRUBBS,

Plaintiff,

-against-

KATIE NGBODI, R.N., F.N.P., LYNN B. WEINRIT, R.N.,  
SANGEETHA L. MUKKATT, R.N., NURSE WHO  
SERVED AS NURSING PROVIDER #574 at FISHKILL  
CORRECTIONAL FACILITY, and JOHN AND JANE  
DOES 1-10,

Defendants.

Civil Action No.:  
7:21-cv-02906 (NSR)

ECF Case

**STIPULATION AND  
ORDER OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action, through their undersigned attorneys, that the parties to this action have agreed as follows:

WHEREAS, Plaintiff BOBBY GRUBBS brought this civil action, 7:21-cv-02906 (NSR) in the United States District Court for the Southern District of New York (the "Federal Action"), to allege a Cause of Action under 42 U.S.C. § 1983 and Eighth Amendment to the United States Constitution and a Cause of Action under New York State laws as for any defendants who are not subject to New York State Correction Law § 24, as alleged in the Amended Complaint (*i.e.*, Dkt. No. 21);

WHEREAS, defendants KATIE NGBODI, R.N., F.N.P., LYNN B. WEINRIT, R.N., and SANGEETHA L. MUKKATT, R.N., were each an employee of the New York State Department of Corrections during the relevant time period, and are therefore subject to New York State Correction Law § 24;

WHEREAS, Plaintiff BOBBY GRUBBS has brought an action pending in the New York State Court of Claims, *Bobby Grubbs v. State of New York*, Claim No. 136638 (the "Court of

Claims Action”), alleging causes of action under New York State laws against the State of New York;

WHEREAS, Plaintiff hereby agrees to discontinue with prejudice the Federal Action in its entirety, without affecting any claims or allegations that were brought in the Court of Claims Action;

WHEREAS, no party hereto is an infant or incompetent person for whom a committee has been appointed;

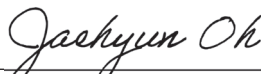
WHEREAS, it is stipulated and agreed that facsimile signatures, including signatures and electronic signatures, shall be accepted as originals for the purpose of this Stipulation and Order of Dismissal;

WHEREFORE, IT IS HEREBY ORDERED, STIPULATED, and AGREED that the above-captioned action is dismissed with prejudice, without costs to either party as against the other, with no effect on the New York State Court of Claims action, *Bobby Grubbs v. State of New York*, Claim No. 136638.

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Dated: September 30, 2022

The Jacob D. Fuchsberg Law Firm, LLP

  
\_\_\_\_\_  
By: Jaehyun Oh, Esq.  
*Attorneys for Plaintiff*  
3 Park Avenue, 37<sup>th</sup> Floor  
New York, New York 10016  
(212) 869-3500

Dated: September 30, 2022


New York State Office of the  
Attorney General

  
\_\_\_\_\_  
By: Jeb Harben, Esq.  
Assistant Attorney General  
*Attorneys for Defendants*  
Office of the Attorney General State of New York  
28 Liberty Street  
New York, New York 10005  
(212) 416-6185

IT IS SO ORDERED.

White Plains, NY

DATED: Sept. 30, 2022

  
\_\_\_\_\_  
Hon. Nelson S. Román, U.S.D.J.